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September 29, 2005

TO: Mail Stop Non-Fee Amendment

FACSIMILE NO.: (703) 872-9306

FROM: Richard C. Conover

FACSIMILE NO.: (406) 587-4330

RE: Response to Office Action

Applicant: Ralph Simpson, et al

Serial No.: 10/628,081

Filed: 07/25/2003

For: SPORTS TRAINING AND EXERCISE DEVICE

Art Unit: 3764

Examiner: Jerome W. Donnelly

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant/s : Ralph Simpson
Pete Draovitch
Steve McGee

Serial No. : 10/628,081

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Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (703) 872-9306

RESPONSE

Dear Sir:

In response to the Office Action mailed June 29, 2005 regarding the above-identified application, the applicant responds as follows:

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Hinds. Claim 4 was rejected under 35 U.S.C. § 102(b) as being anticipated by Hopkins, Jr. Claims 2 and 3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hinds in view of Donohue.

Applicant is unable to respond to this Office Action for the reason that there is no identification in the Office Action as to the patent numbers of the Hinds, Hopkins, Jr and Donohue references.

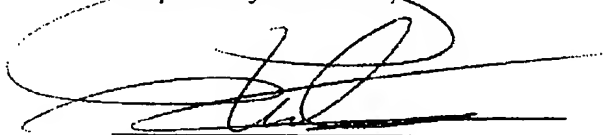
Applicant's attorney has called the Examiner on several occasions requesting the numbers of these patents but has not yet had a response. Further, on August 17, 2005 applicant submitted an "Interim Response and Request for Further Information" requesting an identification of the patent numbers but has had no response.

If the Patent Office would provide these patent numbers to applicant's attorney, a substantive response would be filed.

Finally, the Examiner advised that Claims 5-7 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Appropriate amendments will be filed once Applicant's attorney has had the opportunity to review the references cited by the Examiner.

DATED: Sept 29, 2005
Bozeman, Montana

Respectfully submitted,



Richard C. Conover
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PTO/SB/97 (09-04)

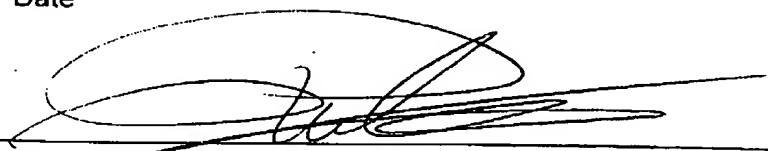
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